

### REMARKS

The Examiner has rejected claims 1, 14, 16, and 21 under 35 U.S.C. 102(b) as being anticipated by Bakos et al. (US 4,761,352). This rejection is respectfully traversed as outlined below.

Applicant respectfully submits that Bakos et al. expressly and repeatedly teaches that the entire anode, the entire separator, and the entire cathode are laminated together in accordion folds. This teaching is clearly shown in figure 4 and 5. This means that the entire battery pack of anode (11), separator (15) and cathode (1) is V-folded, carefully separating the various layers over the full length of the pack. In Bakos et al., the active mass of an electrode is separated from fold to fold by a number of intermediate layers. So, for example, note that Bakos et al., lithium coating 12 never comes in contact with lithium coating 12 in the next fold. Thus, there is no teaching that one electrode alone should be folded on itself.

Conversely, independent claim 1 reads:

A battery comprising an electrode of lithium-metal or lithium-alloy, an electrode containing an active material intercalating lithium ions, a separator between both electrodes, and a housing enclosing the electrodes and the separator with connector tabs for both electrodes, characterized by the fact that at least one of the electrodes is a multi-layer body built by multiple folds and by an equal layer-thickness of the active material between the folded layers.

The effect of the above is to have one active mass of equal thickness between two folds of the anode and/or of the cathode. This means that the active mass on the carrier material of one electrode is in intimate contact with itself and of equal thickness between two folds of the carrier material so as to provide beneficial results, such as the advantages cited page 1, lines 25 to 30 of the description, for example.

In one aspect of the present invention, the active mass of an electrode is compacted together between successive folds. Thus the mass 4 of one fold (Fig. 2) comes in contact with the mass 4 of the next fold to build one unique layer between two folds.

Another embodiment of this feature is shown in Fig. 3 where one side of the carrier material 5<sub>2</sub> is covered by a thin layer 13 which is doubled by the folding, whereas a double layer

12 is provided every second fold, so that, altogether, the layers in between successive folds of the carrier material build an homogenous mass of equal thickness.

Accordingly, applicant respectfully submits that claim 1 is patentably distinct from the art of record and requests that Examiner withdraw the rejection. Furthermore, claims 14, 16, and 21 are each dependent on claim 1 and are patentably distinct from Bakos et al. for at least the same reasons as given for claim 1.

The Examiner also rejected 1, 15, 16, and 21-24 under 35 U.S.C. 102(b) as being anticipated by Fujimoto et al. (US 5,683,834). This rejection is respectfully traversed as outlined below.

Fujimoto et al. is related to cylindrical cells and like Bakos et al. does not teach or suggest a folding such that the active mass of an electrode is folded in a way to build a single homogeneous layer. It should be clear that a person of ordinary skill in the art would regard Fujimoto et al. as not pertinent in this context. Accordingly, applicant respectfully submits that claim 1 is patentably distinct from the Fujimoto et al. and requests that Examiner withdraw her rejection. Furthermore, claims 15, 16, and 21-24, are each dependent on claim 1 and are patentably distinct from the prior art for at least the same reasons as given for claim 1.

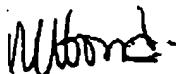
Additionally, the Examiner has rejected claims 1, 17-20 and 25 under 35 U.S.C. 103(a) as obvious in light of Fujimoto, et al. Applicant respectfully disagrees. As noted above, Fujimoto, et al. fails to teach or suggest a folding such that the active mass of an electrode is folded in a way to build a single homogeneous layer. Applicant respectfully submits that nothing in Fujimoto et al. teaches or suggests the invention as disclosed in the present invention in claim 1. Claims 17-20 and 25 are each dependent on claim 1 and are patentably distinct from the prior art for at least the same reasons as given for claim 1.

Claim 26 has been added to further distinguish one embodiment of the present invention. No new matter has been added.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a

telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
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